

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Timothy Graham Frank, <i>et al.</i>
Serial No. 10/	Filing Date: May 19, 2004
Title of Application:	Medical Grasping and Holding Instrument

Mail Stop Non-Fee Amendment
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Preliminary Amendment

Applicants herewith present its amendment and remarks. Please amend the claims and abstract as detailed below.

In the Claims

1. (Currently Amended) A material grasping and holding instrument with a handle (2) consisting of two handgrips (2a, 2b) and a holding portion (3) that consists of at least two jaw members (3a, 3b) and can be actuated by the handle (2), where the jaw members (3a, 3b) of the holding portion (3) can be locked by means of a spring element (6) both in an end position that releases the holding portion (3) and in an end position that locks the holding portion (3), wherein the spring element (6) configured as a flat spring and connecting the two handgrips (2a, 2b) to one another is mounted between the handgrips (2a, 2b) of the handle (2) in such a way that, to lock the jaw members (3a, 3b) in their end positions, the spring element (6) can be moved by way of a storage point (8) of a handgrip (2a or 2b) on the spring element (6) between two end positions that relax the spring element (6).
2. (Currently Amended) A material grasping and holding instrument as in claim 1, wherein the spring element (6) is mounted so that it is pretensioned between the handgrips (2a, 2b) in the opening direction of the handgrips (2a, 2b) and thus of the end position releasing the holding portion (3).